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*Attorneys for Defendants*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES, LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

GUTMACHER ENTERPRISES, LP, a New York  
Limited Partnership,

THE ESTATE OF ROSE GUTMACHER,

THE TRUST FBO NICOLE GIRARD U/A/D 12/2/97,

NICOLE GIRARD, individually, and in her capacity as

Adv. Pro. No. 08-01789 (BRL)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 10-05091 (BRL)

Trustee for the Trust FBO Nicole Girard U/A/D 12/2/97,

THE BARBARA GIRARD TESTAMENTARY  
TRUST FBO NICOLE GIRARD,

THOMAS D. KEARNS, in his capacities as personal  
representative of the Estate of Rose Gutmacher, and as  
Trustee for the Trust FBO Nicole Girard U/A/D 12/2/97,

GEORGES S. KAUFMAN, in his capacity as personal  
representative of the Estate of Rose Gutmacher,

SEYMOUR ZISES, in his capacities as personal  
representative of the Estate of Barbara Girard, and as  
Co-Trustee of the Barbara Girard Testamentary Trust  
FBO Nicole Girard,

RICHARD WEINBERGER, in his capacities as  
personal representative of the Estate of Barbara Girard,  
and as Co-Trustee of the Barbara Girard Testamentary  
Trust FBO Nicole Girard, and

THE ESTATE OF BARBARA GIRARD,

Defendants.

**NOTICE OF APPEARANCE AND REQUEST FOR SERVICE OF PAPERS**

**PLEASE TAKE NOTICE** that Gutmacher Enterprises, LP, a New York Limited Partnership, the Estate Of Rose Gutmacher, the Trust FB Nicole Girard U/A/D 12/2/97, Nicole Girard, individually, and in her capacity as Trustee for the Trust FBO Nicole Girard U/A/D 12/2/97, The Barbara Girard Testamentary Trust FBO Nicole Girard, Thomas D. Kearns, in his capacities as personal representative of the Estate of Rose Gutmacher, and as Trustee for the Trust FBO Nicole Girard U/A/D 12/2/97, Georges S. Kaufman, in his capacity as personal representative of the Estate of Rose Gutmacher, Seymour Zises, in his capacities as personal representative of the Estate of Barbara Girard, and as Co-Trustee of the Barbara Girard Testamentary Trust FBO Nicole Girard, Richard Weinberger, in his capacities as personal representative of the Estate of Barbara Girard, and as Co-Trustee of the Barbara Girard Testamentary Trust FBO Nicole Girard, the Estate Of

Barbara Girard, and others, parties-in-interest, hereby appear by their counsel, Folkenflik & McGerity, and demand, pursuant to Section 1109(c) of the Bankruptcy Code and Rules 2002, 9007 and 9010 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), that all notices given or required to be given in the case and all papers served or required to be served in the case, be given to and served upon the undersigned attorneys on his behalf, at the address set forth below, attention:

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The foregoing request includes not only the notices and papers, whether formal or informal, *ex parte* or on notice, written or oral, referred to in the Bankruptcy Rules and Code sections specified above, but also includes, without limitation, orders and notices of any application, motion, petition, pleading, request, complaint or demand, whether formal or informal, whether written or oral, and whether transmitted or conveyed by mail, delivery, telephone, telegraph, telecopier, electronically, or otherwise, which affect or seek to affect in any way any rights or interests of the debtor.

Neither this Notice of Appearance nor any later appearance, pleading, claim or suit shall waive the above-named entity's right to have final orders in non-core matters entered only after *de novo* review by District Judge; or the right to trial by jury in any proceeding so triable in this case or any case, controversy, or proceeding related to this case; or the right to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal; or to adjudicate rights in other applicable forums, or any other rights, claims, actions, defenses, setoffs, or recoupments to which these entities are or may be entitled under agreements, in law or in equity, all of which rights are expressly reserved.

Dated: New York, New York  
January 4, 2012

Respectfully submitted,

**FOLKENELIK & McGERITY**

By: 

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